

1 in furtherance of the conspiracy were committed after the Defendant's release on July 13, 2005.

2 At the hearing to revoke Defendant's pre-trial release, the Magistrate Judge found
3 that on July 21, 2005, Defendant deposited into his bank account \$9,000 of proceeds which were
4 from a co-conspirator's illegally cashing \$19,500 worth of counterfeit Bank of America checks on
5 July 19, 2005. Furthermore, the present exhibits submitted in Court by Defendant in his bank accounts are
6 not substantiated and the Government has presented evidence of other crimes involving the
7 transfer and use of large amounts of money which they are elected or agreed not to pursue in return

8 UNITED STATES OF AMERICA v.)
9 Nelson Osmani Engle)

2:06-CR-0002-RLH-GWF

10 Finally, this Defendant's co-defendant and brother, Kingsley Osmani Engle,)
11 continued to engage in criminal enterprises while he was living with ORIDPERB)
12 under their third-)
13 (Motion for Release #124)

14 Nelson Osmani Engle did the parents ever report to the Court or Pretrial Services the)
15 violations of Kingsley's release conditions. Whether they knew of and elected)
16 not to disclose the activities, or they were unaware of the activities is of little difference in the)

17 Court's determination of whether the Defendant Nelson Osmani Engle is a danger to the community.)
18 Before the Court, the Defendant Nelson Osmani Engle's Motion for Order of this)
19 Release From Detention Pending Sentencing (#124) filed September 14, 2006. The Government's)
20 Response (#176), in opposition, was filed September 24, 2006. No reply has been filed.

21 One Co-defendant has pleaded he being found by Defendant's release is continuing.)
22 The Court whether the Defendant Nelson Osmani Engle is a danger to the community.)
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27 In the case of a defendant who has been found guilty of a crime and is awaiting sentencing, the Court)
28 should consider the defendant's release pending sentencing. United States v. Reynolds, 956 F.2d)
29 192 (9th Cir. 1992). The 18, U.S.C. § 3143(a) governs the release or detention of defendants who have)
30 been found, or who have pleaded guilty, previously, and the pretrial release of a convicted defendant has)
31 been found, or who have pleaded guilty, previously, and the pretrial release of a convicted defendant has)
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